IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 5569 of 2007

DATE OF DECISION: 18.04.2007

Mohan Lal ....Petitioner

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE L.N. MITAL

PRESENT: Mr. R.P.Kansal, Advocate
for the petitioner.

J.S. Khehar, J. (oral)

The petitioner was allegedly inducted into the service of the respondents as a S.S.Master in the year 1976. He claims to be continuing in the said capacity till date. Despite having rendered service for more than 24 years, the petitioner claims that he has not been paid increments due to him under the Assured Career Progression Scheme. So as to claim increments under the Assured Career progression Scheme, the petitioner is stated to have issued a legal notice dated 16.11.2006 (Annexure P2). It is pointed out by the learned counsel for the petitioner, that despite the issuance of the aforesaid legal notice no decision has been taken thereon by the respondents till date.

Learned counsel for the petitioner vehemently contends, that the petitioner will be satisfied if the instant writ petition is disposed of with a direction to respondent No.2 i.e. the Director of Public Instructions (Secondary), Punjab, requiring him to take a final decision

on the claim of the petitioner for grant of increments under the Assured Career Progression Scheme.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No. 2 i.e. the Director of Public Instructions (Secondary), Punjab, to take a final decision on the legal notice dated 16.11.2006 (Annexure P2), by passing a well reasoned speaking order within two months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to her within a further period of one month. It is, however, clarified that the petitioner will be entitled to arrears limited to a period of three years and two months before the filing of the instant writ petition. It is also clarified that the instant writ petition came to be filed on 14.4.2007.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(L.N. Mittal)
Judge

April 18, 2007.
vig